

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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YVONNE PINO,

Plaintiff,

-against-

MICHAEL J. ASTRUE, Commissioner
of Social Security,

Defendant.

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DEBORAH A. BATTS, United States District Judge.

This matter is before the Court upon a Report and Recommendation ("Report") of United States Magistrate Judge Michael H. Dolinger, which was filed February 8, 2011. Plaintiff filed this pro se action challenging the January 28, 2009 decision of the Commissioner of the Social Security Administration. Defendant has moved for judgment on the pleadings. The Report recommends that Defendant's motion be GRANTED in part and DENIED in part, and that Plaintiff's case be REMANDED for further administrative consideration of her disability insurance benefits ("DIB") claim.

According to 28 U.S.C. § 636(b)(1)(C), "[w]ithin fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations." 28 U.S.C. § 636(b)(1)(C); see also Fed. R. Civ. P. Rule 72(b)(2) (stating that "[w]ithin 14 days after being served with a copy of the recommended disposition, a party may serve and file specific, written objections to the proposed

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ADOPTION OF REPORT
AND RECOMMENDATION

findings and recommendations"). Despite being advised accordingly in Judge Dolinger's Report and Recommendation, to date, no objections to the Report have been filed.

Having reviewed the Report, and finding no clear error on the face of the record, see 28 U.S.C. § 636(b)(1)(B), it is hereby

ORDERED AND ADJUDGED as follows:

1. The Report and Recommendation, Docket Entry No. 16, of United States Magistrate Judge Michael H. Dolinger, dated February 8, 2011, be and the same hereby is APPROVED, ADOPTED, and RATIFIED by the Court in its entirety;

2. Defendant's Motion for Judgment on the Pleadings is GRANTED in part and DENIED in part;

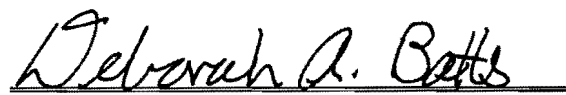
3. Plaintiff's case is REMANDED for further administrative consideration of her DIB claim;

4. The Clerk of Court is directed to CLOSE the docket in this case.

SO ORDERED.

DATED: New York, New York

March 8, 2011


Deborah A. Batts
United States District